

SENATE JOURNAL
 Sixty-eighth General Assembly
STATE OF COLORADO
 Second Regular Session

111th Legislative Day Monday, April 30, 2012

- Prayer 10
 By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver. 11
- Call to Order 12
 By the President at 10:00 a.m. 13
- Pledge 14
 By Senator Nicholson. 15
- Roll Call 16
 Present--32 17
 Absent--3, Guzman, Jahn, Williams S. 18
 Present later--3, Guzman, Jahn, Williams S. 19
- Quorum 20
 The President announced a quorum present. 21
- Reading of Journal 22
 On motion of Senator Neville, reading of the Journal of Friday, April 27, 2012, was 23
 dispensed with and the Journal was approved as corrected by the Secretary. 24

COMMITTEE OF REFERENCE REPORTS

Legal Services 25
 After consideration on the merits, the Committee recommends that **HB12-1086** be 26
 amended as follows, and as so amended, be referred to the Committee of the Whole with 27
 favorable recommendation. 28

Amend reengrossed bill, page 4, after line 19 insert: 29

"(5) The automatic expiration of the rules of the state board of 30
 education, department of education, concerning the process for 31
 nonprobationary teacher to appeal second consecutive performance 32
 evaluation rating of ineffective or partially effective in the rules for 33
 administration of a statewide system to evaluate the effectiveness of 34
 licensed personnel employed by school districts and boards of cooperative 35
 services (1 CCR 301-87), which rules were adopted on April 11, 2012, 36
 and that are therefore scheduled for expiration May 15, 2013, is 37
 postponed, effective May 15, 2012." 38

Health & Human Services 39
 After consideration on the merits, the Committee recommends that **SB12-173** be referred 40
 to the Committee of the Whole with favorable recommendation. 41

Health & Human Services 42
 After consideration on the merits, the Committee recommends that **HB12-1281** be 43
 amended as follows, and as so amended, be referred to the Committee on Appropriations 44
 with favorable recommendation. 45

Amend reengrossed bill, page 5, strike lines 24 through 26 and substitute: 46

"(C) THE STATE DEPARTMENT'S ABILITY TO ENSURE THAT 47
 INPATIENT AND OUTPATIENT HOSPITAL REIMBURSEMENTS ARE MAXIMIZED 48
 UP TO THE UPPER PAYMENT LIMITS, AS DEFINED IN 42 CFR 447.272 AND 42 49
 CFR 447.321 AND CALCULATED BY THE STATE DEPARTMENT 50
 PERIODICALLY;" 51

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Page 10, line 11, after "(6)" insert "(a)".

Page 10, strike lines 18 through 22 and substitute "(b) OF SUBSECTION (2) OF THIS SECTION.

(b) THE STATE DEPARTMENT SHALL HAVE THE DISCRETION TO DETERMINE WHICH PROPOSALS SATISFY THE REQUEST FOR PROPOSAL, INCLUDING:

(I) WHETHER THE PROPOSALS ARE APPROPRIATE FOR THE STATE'S COORDINATED CARE SYSTEM; AND

(II) THE STATE DEPARTMENT'S ABILITY TO ENSURE INPATIENT AND OUTPATIENT HOSPITAL REIMBURSEMENTS ARE MAXIMIZED UP TO THE UPPER LIMITS, AS DEFINED IN 42 CFR 447.272 AND 42 CFR 447.321 AND CALCULATED BY THE STATE DEPARTMENT PERIODICALLY.

(c) THE STATE DEPARTMENT SHALL SEEK ANY FEDERAL WAIVER NECESSARY TO ENSURE THAT THE EFFECT OF THE REQUEST FOR PROPOSALS DOES NOT ADVERSELY IMPACT UPPER PAYMENT LIMITS AND CONSIDERATIONS SHALL INCLUDE, BUT ARE NOT LIMITED TO, THE ESTABLISHMENT OF AN UNCOMPENSATED CARE COST POOL OR A HOSPITAL INCENTIVE PROGRAM."

Health & Human Services

After consideration on the merits, the Committee recommends that **HB12-1311** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 146, strike line 13 and substitute "(1) (e) and (1) (bb); and **repeal** (1) (cc) as follows:".

Page 146, strike lines 23 through 26 and substitute:

~~"(cc) Dispensing for a fee any prescription drug, as defined in section 12-22-102, or any controlled substance, as defined in section 12-22-303, except as permitted in sections 12-22-121 (6) (c) and 12-40-102 (5) (b);".~~

Page 147, line 8, after "(1) (l)" insert "and (1) (m) (III)".

Page 147, after line 14 insert:

"(m) (III) Failed to comply with the limitations agreed to under a confidential agreement entered pursuant to section ~~12-41-118~~ 12-41-118.5;".

SENATE SERVICES REPORT

Correctly Reengrossed: SB12-046, 090, 104 and 175.
Correctly Revised: HB12-1041, 1124, 1213, 1282 and 1292.
Correctly Rerevised: HB12-1348.

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**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for House Bill 12-1345, Concerning the Financing of Public Schools:

The Friday, April 20 deadline (the 101st legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, is extended until Wednesday, May 9, 2012 (the 120th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)
Representative McNulty
Speaker of the House of Representatives

(signed)
Senator Shaffer
President of the Senate

(signed)
Representative Stephens
House Majority Leader

(signed)
Senator Morse
Senate Majority Leader

(signed)
Representative Ferrandino
House Minority Leader

(signed)
Senator Cadman
Senate Minority Leader

Call of the Senate.

Call raised.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB12-129 by Senator(s) Schwartz, Aguilar, Bacon, Grantham, Harvey, Heath, Hodge, Hudak, Johnston, King S., Lundberg, Newell, Roberts, Steadman, Tochtrop, White, Williams S.; also Representative(s) Coram--Concerning access to affordable broadband internet connectivity in noncompetitive rural areas.

Laid over until Tuesday, May 1, retaining its place on the calendar.

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HCR12-1001 by Representative(s) Ferrandino and Vaad; also Senator(s) Johnston and King K.-- Submitting to the registered electors of the state of Colorado amendments to the Colorado constitution concerning the state personnel system, and, in connection therewith, expanding the veterans' preference; increasing the number of candidates eligible to be appointed to a position; adjusting the duration of allowable temporary employment; allowing the flexibility to remove a limited number of positions from the system; modifying the residency requirement; adjusting the terms of service for members of the state personnel board; and requiring merit-based appointments to be made through a comparative analysis process.

Laid over until Tuesday, May 1, retaining its place on the calendar.

SB12-108 by Senator(s) Nicholson; also Representative(s) Summers and Kerr A.--Concerning providing oral health services to pregnant women who are enrolled in medicaid, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	N	Scheffel	N
Bacon	Y	Harvey	N	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	Spence	Y
Brophy	N	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsors added: Aguilar, Bacon, Boyd, Carroll, Foster, Giron, Guzman, Heath, Hodge, Hudak, Johnston, Morse, Newell, Schwartz, Shaffer B., Spence, Steadman, Tochtrop and Williams S.

HB12-1041 by Representative(s) Labuda; also Senator(s) Guzman--Concerning the creation of an electronic death registration system in the department of public health and environment, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Lambert was given permission to offer a third reading amendment. Pursuant to Senate Rule 25 (k), the bill was laid over.

Laid over until Tuesday, May 1, retaining its place on the calendar.

HB12-1213 by Representative(s) Fields; also Senator(s) King S.--Concerning the penalty for a person who escapes from a place of confinement other than a county jail or correctional facility.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor added: Aguilar, Boyd, Carroll, Foster, Giron, Hudak, Jahn, Johnston, King K., Lambert, Morse, Newell, Nicholson, Roberts, Spence and Tochtrop.

HB12-1282 by Representative(s) Ramirez; also Senator(s) Nicholson--Concerning the ability of the Colorado geological survey to exempt review of the geologic factors of a preliminary subdivision plan upon request from the board of county commissioners of a county.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsors added: Aguilar and Giron.

HB12-1292 by Representative(s) Murray; also Senator(s) Heath--Concerning technical modifications to laws relating to the administration of elections, and, in connection therewith, harmonizing current laws with federal law, altering the time periods within which certain actions must be taken, raising certain fees, and deleting obsolete references.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor added: Williams S.

HB12-1124 by Representative(s) Massey, Fields, Hamner, Holbert, Levy, Peniston; also Senator(s) Johnston--Concerning a study of digital learning in Colorado.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was passed.

Co-sponsor added: Aguilar and Newell.

Committee of the Whole On motion of Senator Giron, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar and Senator Giron was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB12-1293 by Representative(s) Todd, Court, Ferrandino, Liston, Murray; also Senator(s) King K.-- Concerning modifications to procedures that govern recall elections.

Ordered revised and placed on the calendar for third reading and final passage.

SB12-177 by Senator(s) Jahn, Cadman; also Representative(s) Liston and Pabon, Duran, Gardner B., McNulty, Priola, Soper, Swalm, Swerdfeger, Szabo, Tyler, Williams A.--Concerning administration of the unemployment insurance program in order to stabilize unemployment insurance rates, and, in connection therewith, facilitating the issuance of unemployment revenue bonds and accelerating the creation of the division of unemployment insurance in the department of labor and employment.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 26, page 861 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB12-176 by Senator(s) Brophy, Guzman, Morse, Roberts, Schwartz; also Representative(s) Labuda, Gardner B., Levy, Murray, Waller--Concerning nonsubstantive revisions of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB12-1108 by Representative(s) Kagan, Brown, Holbert; also Senator(s) Scheffel--Concerning the authority of the Colorado department of transportation to have signs within rights-of-way on the highway system.

Ordered revised and placed on the calendar for third reading and final passage.

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**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Giron, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB12-177 as amended, SB12-176, HB12-1293, HB12-1108.

Committee of the Whole On motion of Senator Giron, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Giron was called to the chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SCR12-001 by Senator(s) Steadman; also Representative(s) Ferrandino--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution repealing provisions deemed obsolete on account of a determination of the unconstitutionality of said provisions by a court of competent jurisdiction.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate journal, March 28, page 598, was **lost**.)

Ordered engrossed and placed on the calendar for third reading and final passage.

HB12-1241 by Representative(s) Ferrandino, Hullinghorst, Court, Fischer, Labuda, Levy, Pabon, Singer; also Senator(s) Heath--Concerning enterprise zone designations.

Ordered revised and placed on the calendar for third reading and final passage.

HB12-1068 by Representative(s) McKinley; also Senator(s) Grantham--Concerning the administration of a nonprofit cemetery corporation by persons who own the right to bury a deceased person within the cemetery.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 26, pages 861-862 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

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SB12-170 by Senator(s) Aguilar; also Representative(s) Gerou--Concerning authorization for personalized license plates of one position to fund a program that helps persons with disabilities obtain benefits.

Ordered engrossed and placed on the calendar for third reading and final passage.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (HB12-1036, SB12-155, SB12-070, SB12-086, SB12-132, HB12-1160, HB12-1237, SB12-106, SB12-135, HB12-1267, SB12-178) of Monday, April 30 was laid over until Tuesday, May 1, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Giron, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SCR12-001, HB12-1241, HB12-1068 as amended, SB12-170.
Laid over until Tuesday, May 1: HB12-1036, SB12-155, SB12-070, SB12-086, SB12-132, HB12-1160, HB12-1237, SB12-106, SB12-135, HB12-1267, SB12-178.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB12-128 by Senator(s) Roberts; also Representative(s) Summers--Concerning achieving efficiencies in the medicaid long-term care program through greater utilization of alternative care facilities.

Senator Roberts moved that the Senate concur in House amendments to **SB12-128**, as printed in House journal, April 5, page 892. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor added: White.

SB12-036 by Senator(s) Mitchell; also Representative(s) Holbert--Concerning parental consent for the collection of information from students in schools.

Laid over until Tuesday, May 1, retaining its place on the calendar.

SB12-149 by Senator(s) Steadman; also Representative(s) Priola--Concerning the circumstances in which the board of a defined benefit plan or system created by a local government may modify retirement benefit provisions of the plan or system.

Senator Steadman moved that the Senate concur in House amendments to **SB12-149**, as printed in House journal, April 23, page 1070. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB12-009

by Senator(s) Hodge, Brophy, Giron, Roberts, Schwartz; also Representative(s) Swerdfeger, Baumgardner, Sonnenberg, Vigil, Wilson--Concerning the consolidation of cash funds administered by the division of water resources, and, in connection therewith, making and reducing appropriations.

Senator Hodge moved that the Senate concur in House amendments to **SB12-009**, as printed in House journal, April 23, page 1081. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor added: White.

SB12-010

by Senator(s) Hodge; also Representative(s) Ferrandino--Concerning the authority of the department of public safety to use grants and donations for the purpose of funding the activities of the Colorado bureau of investigation.

Senator Hodge moved that the Senate concur in House amendments to **SB12-010**, as printed in House journal, April 25, pages 1089-1090. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	N	Scheffel	N
Bacon	Y	Harvey	N	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	Spence	N
Brophy	N	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB12-145 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Becker, Gerou, Levy-- Concerning a cap on the 2011-12 state fiscal year transfers to the state public school fund from public school land moneys.

Senator Steadman moved that the Senate concur in House amendments to **SB12-145**, as printed in House journal, April 25, page1090. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

RECONSIDERATION OF SB12-010

SB12-010 by Senator(s) Hodge; also Representative(s) Ferrandino--Concerning the authority of the department of public safety to use grants and donations for the purpose of funding the activities of the Colorado bureau of investigation.

Having voted on the prevailing side, Senator Morse moved for reconsideration of the last Senate action, Consideration of House Amendments to Senate Bills, on SB12-010.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS - cont'd

SB12-010 by Senator(s) Hodge; also Representative(s) Ferrandino--Concerning the authority of the department of public safety to use grants and donations for the purpose of funding the activities of the Colorado bureau of investigation.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	N	Scheffel	N
Bacon	Y	Harvey	N	Lundberg	N	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	N	Spence	N
Brophy	N	Hodge	Y	Morse	Y	Steadman	Y
Cadman	N	Hudak	Y	Neville	N	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	Y	Roberts	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

CONSIDERATION OF RESOLUTIONS

SJR12-025 by Senator(s) Grantham; also Representative(s) McKinley--Concerning recognition of the Amtrak Southwest Chief.

Amendment No. 1(L.001), by Senator Grantham.

Amend printed joint resolution, page 2, line 25, after the semicolon insert "the Honorable Mike O'Neal, Speaker of the Kansas House of Representatives; Honorable Steve Morris, President of the Kansas Senate; Honorable Ben Lujan, Sr., Speaker of the New Mexico House of Representatives; Honorable Timothy Jennings, President Pro Tempore of the New Mexico Senate; Steve Parker, Chairman of the Colorado Transportation Commission; Alvin Dominguez, Secretary of the New Mexico Department of Transportation; Mike King, Secretary of the Kansas Department of Transportation;".

The amendment **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

On motion of Senator Grantham, the resolution, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Boyd, Brophy, Cadman, Foster, Hodge, Hudak, Jahn, King K., King S., Lambert, Lundberg, Newell, Scheffel, Schwartz, Shaffer B. and Steadman.

SJR12-044 by Senator(s) Grantham; also Representative(s) Becker--Concerning the 25th anniversary of the Arkansas Valley Correctional Facility.

On motion of Senator Grantham, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Bacon, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Lambert, Lundberg, Mitchell, Morse, Neville, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Shaffer B., Spence, Steadman, Tochtrop, White and Williams S.

HJR12-1017 by Representative(s) Priola and Kerr A., Waller; also Senator(s) Steadman and Roberts-- Concerning the designation of the Denver-Boulder Turnpike portion of United States Highway 36 as the "Buffalo Highway".

On motion of Senator Steadman, the resolution was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	N	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	N	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Boyd, Foster, Heath, Nicholson, Tochtrop and Williams S.

CONSIDERATION OF MEMORIALS

SJM12-003 by Senator(s) Lundberg, Harvey, Grantham, Mitchell, Renfroe, King S., Cadman, King K., Newell, Roberts, Spence, Giron, Brophy, Jahn, Lambert, Neville, Scheffel, White; also Representative(s) DelGrosso, Liston--Memorializing Congress to modify certain reporting procedures for small nonprofit organizations to require the Internal Revenue Service to adequately notify such organizations of the procedures and to allow such organizations to remedy reporting deficiencies.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 24, pages 824-825 and placed in members' bill files.)

On motion of Senator Lundberg, the memorial, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

Co-sponsors added: Aguilar, Bacon, Boyd, Foster, Heath, Hodge, Hudak, Johnston, Morse, Shaffer B., Tochtrop and Williams S.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB12-1002 by Representative(s) Sonnenberg; also Senator(s) Jahn--Concerning the rules of state agencies applicable to applications for permits.

Senator Jahn moved for the adoption of the first report of the first conference committee on **HB12-1002**, as printed in Senate journal, April 26, pages 863-864. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Lambert	Y	Scheffel	Y
Bacon	Y	Harvey	Y	Lundberg	Y	Schwartz	Y
Boyd	Y	Heath	Y	Mitchell	Y	Spence	Y
Brophy	Y	Hodge	Y	Morse	Y	Steadman	Y
Cadman	Y	Hudak	Y	Neville	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	Y	King S.	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor added: Guzman.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, April 30 was laid over until Tuesday, May 1, retaining its place on the calendar.

Consideration of Resolutions: SJR12-034, SJR12-036, SJR12-038, SJR12-039, SJR12-040, SJR12-043.

Consideration of Governor's Appointments:

Members of the Colorado Tourism Office Board of Directors.

Members of the Waste Tire Advisory Committee.

Conference Committees to Report: SB12-020, HB12-1053.

Requests for Conference Committee: HB12-1168.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB12-1348; SJM12-002; SJR12-006, 024, 029, 030, 032, 033 and 042.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Business,
Labor, &
Technology

The Committee on Business, Labor, and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
COLORADO BANKING BOARD**

for terms expiring July 1, 2013:

James L. Basey of Denver, Colorado, to fill the vacancy occasioned by the resignation of Thomas L. Goding of Fort Collins, Colorado, and to serve as an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, appointed;

Emily S. Robinson of Golden, Colorado, an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, and occasioned by the resignation of Mary S. Reisher of Denver, Colorado, appointed;

for a term expiring July 1, 2015:

Richard Estaban Martinez, Jr., Centennial, Colorado, to serve as a representative of bankers, and as a representative of a bank having less than one hundred fifty million dollars in total assets, appointed.

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Business,
Labor, &
Technology

The Committee on Business Labor and Technology has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

COMMISSIONER OF INSURANCE

Effective July 1, 2011, for a term expiring at the pleasure of the Governor:

James L. Reisberg of Greeley, Colorado, appointed.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB12-1286** be referred to the Committee on Finance with favorable recommendation.

MESSAGE FROM THE HOUSE

April 30, 2012

The House has voted to concur in the Senate amendments to HB12-1114, 1151, 1070, 1224, 1262, 1239, 1244, 1276 and has repassed the bills as so amended.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and referred to the committees indicated:

SJR12-048 by Senator(s) White and Tochtrop; also Representative(s) Bradford--Concerning the designation of May 13 through 19, 2012, as "National Nursing Home Week".

Laid over until Wednesday, May 2, retaining its place on the calendar.

HJR12-1022 by Representative(s) Baumgardner, Looper, Massey, Wilson; also Senator(s) Nicholson, White--Concerning naming a portion of the Fraser River the "Eisenhower Memorial Reach".

Laid over until Thursday, May 3, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB12-183 by Senator(s) Boyd; --Concerning restrictions on a utility's ability to disconnect certain residential customers' heating service during cold weather months.
Health and Human Services

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On motion of Senator Morse, the Senate adjourned until 9:00 a.m., Tuesday, May 1, 2012.

Approved:

Brandon C. Shaffer
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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